

Notice of Allowability

Application No.

10/788,794

Applicant(s)

GREEN, CHRISTIAN H.

Examiner

Benjamin H. Layno

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 01/26/06 and interview on 04/04/06.
2. ☒ The allowed claim(s) is/are 6-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>04/04/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Chu on 04/04/06.

The application has been amended as follows:

Claims 1-5 have been canceled.

In claim 6, line 1 the recitation – wherein points are awarded for forming closed polygons—has been inserted after “card game” and before “, comprising”.

In claim 6, line 5 the word “with” has been changed to –that form—.

In claim 6, line 6 the words “of the” has been changed to –on each--.

In claim 6, line 7 the words “of the”, first occurrence, has been changed to –on each--.

In claim 6, line 7 the words “of the”, second occurrence, has been changed to –on each--.

In claim 6, line 8 the recitation –with no polygons—has been inserted after “dot” and before “;”.

In claim 6, line 12 the recitation –wherein the one or more lines forming the pattern on the first card is adjacent to the one or more lines forming the pattern on the second card—has been inserted after “second card” and before “to form”.

In claim 6, line 12 the recitation –that was not formed before the cards were placed against each other—has been inserted after “polygon” and before “or”.

In claim 6, line 15 the recitation –or placing a second card if it is a blocker card, next to the first card if the first card is a point card or a play card, the single dot on the blocker card breaking up one or more lines on the sides of the first card preventing an opposing player from placing another play card or point card next to the first card to form a closed polygon,— has been inserted after “card,” and before “and”.

Reasons For Allowance

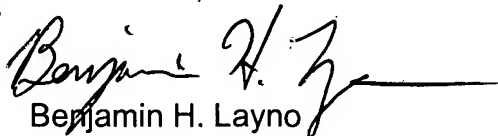
2. The following is an examiner's statement of reasons for allowance: None of the cited references alone or in combination teach the claimed “the pattern on each play card forming one or more open polygons, the pattern on each point card forming one or more closed polygons, and the pattern on each blocker card forming only a single dot with no polygons” and “placing the second card against the first card on the playing surface by situating the pattern of the first card against the pattern of the second card wherein the one or more lines forming the pattern on the first card is adjacent to the one or more lines forming the pattern on the second card to form a closed polygon that was not formed before the cards were placed against each other” and “placing a second card if it is a blocker card, next to the first card if the first card is a point card or a play card, the single dot on the blocker card breaking up one or more lines on the sides of the first card preventing an opposing player from placing another play card or point card next to the first card to form a closed polygon.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin H. Layno whose telephone number is (571) 272-4424. The examiner can normally be reached on Monday-Friday, 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on (571)272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Benjamin H. Layno
Primary Examiner
Art Unit 3711

bhl